


ORDERED.

Dated: March 14, 2019

  
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Jerry A. Funk  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
Jacksonville Division  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)**

In re:

Chapter 11

RMS TITANIC, INC., *et al.*,

Case No.: 3:16-bk-002230-PMG  
(Jointly Administered)

Debtors.

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**FINAL ORDER APPROVING RESPONSIBLE PERSON'S APPLICATION  
TO APPROVE EMPLOYMENT OF JASON S. MAZER, ESQ. AND THE  
LAW FIRM OF CIMO MAZER MARK, PLLC, AS CO-SPECIAL  
LITIGATION COUNSEL TO THE RESPONSIBLE PERSON**

THIS MATTER came before the Court for hearing on March 5, 2019 at 11:00 a.m. upon the *Responsible Person's Application to Approve Employment of Jason S. Mazer, Esq., and the Law Firm of Cimo Mazer Mark, PLLC, as Co-Special Litigation Counsel to the Responsible Person* [ECF #1314] (the "Application"),<sup>1</sup> and the Court, having reviewed the Application, the affidavit filed in support thereof [ECF #1316], and finding that Jason S. Mazer, Esq. and the law firm of Cimo Mazer Mark, PLLC represent no interest adverse to the Responsible Person or the

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the February 12, 2019 Application.

estate in the matters upon which the attorneys are to be engaged, and that their employment is in the best interests of the estate and the creditors, is authorized to grant the relief requested in the Application pursuant to Sections 327(e), 328(a), 330 and 331 of the Bankruptcy Code and Bankruptcy Rules 2014 and 2016. Based on the foregoing findings, good and sufficient cause exists to grant the relief set forth herein and requested in the Application, and the Court **ORDERS** as follows:

1. The Application is **GRANTED** on a final basis.
2. The Court approves the Responsible Person's retention of Jason S. Mazer, Esq. and the law firm of Cimo Mazer Mark, PLLC as Co-Special Litigation Counsel for the Responsible Person.
3. As Co-Special Litigation Counsel with Agentis, Cimo Mazer Mark is authorized to render the services authorized in the order approving the Agentis Application.
4. As Co-Special Litigation Counsel, this Court approves equal allocation to Agentis and Cimo Mazer Mark of any Contingency Fee recovered in connection with the Adversary Proceeding or D&O Claims, regardless of how such funds are obtained. The 40% contingency fee shall be allocated equally between Agentis, on the one hand (20% of the Contingency Fee), and Cimo Mazer Mark, on the other hand (20% of the Contingency Fee).
5. CMM may, in its sole and absolute discretion, advance payment of litigation related costs pertaining to the Adversary Proceeding or D&O Claims, but the bankruptcy estate shall be responsible for the reimbursement and/or payment of all expert witness and consulting fees and costs, mediation fees and costs, and any and all other normal and customary out-of-pocket expenses incurred in connection with the professional services provided hereunder, including but not limited to travel, court reporter fees, printing, photocopy costs, administrative,

and other costs, as permitted. If costs are incurred and advanced by Cimo Mazer Mark, Cimo Mazer Mark may seek reimbursement of those costs from the estate, or any other source of payment there may be. If the costs remain unpaid, Cimo Mazer Mark shall not be required to further advance costs. Cimo Mazer Mark may also apply for compensation and reimbursement of costs, pursuant to 11 U.S.C. §§ 330 and 331, for services rendered and costs incurred on behalf of the Responsible Person.

6. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

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**Submitted by:**

Robert P. Charbonneau

Agentis PLLC

*Co-Special Litigation Counsel for the Responsible Person*

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**Copy to:** Attorney Charbonneau, who is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of the order.